

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES – GENERAL

Case No. SACV 23-01268-CJC (DFMx)

Date: August 25, 2023

Title: BRIGITTE BOGART v. RTW RETAILWINDS ACQUISITION LLC, et al.

PRESENT:

HONORABLE CORMAC J. CARNEY, UNITED STATES DISTRICT JUDGE

Rolls Royce Paschal
Deputy Clerk

N/A
Court Reporter

ATTORNEYS PRESENT FOR PLAINTIFF: ATTORNEYS PRESENT FOR DEFENDANT:

None Present

None Present

**PROCEEDINGS: (IN CHAMBERS) ORDER DENYING AS MOOT
DEFENDANTS’ MOTIONS TO DISMISS PLAINTIFFS’ COMPLAINT [Dkt. 17]
AND TO WITHDRAW NOTICE OF REMOVAL AND REMAND [Dkt. 19]**

In this case, Plaintiff Brigitte Bogart asserts claims arising out of Defendants’ termination of her employment, including their alleged failure to pay her a contractual severance. (*See* Dkt. 23 [First Amended Complaint] ¶ 15.) Before the Court is Defendants’ motion to dismiss Plaintiff’s Complaint. (Dkt. 17.) The motion was filed on August 11, 2023. (*Id.*) On August 24, 2023, Plaintiff filed a First Amended Complaint. (Dkt. 23.) Defendants’ motion to dismiss Plaintiff’s Complaint is therefore **DENIED AS MOOT**.

Also before the Court is Defendants’ motion to withdraw their notice of removal and remand the case to state court. (Dkt. 19.) However, Defendants’ motion to remand does not argue that the Court lacks diversity jurisdiction, and Plaintiff’s FAC alleges the Court has diversity jurisdiction. (Dkt. 23 ¶¶ 1–7.) Defendants’ motion to remand is therefore also **DENIED AS MOOT**.

The hearing on these matters set for October 16, 2023 at 1:30 p.m. is hereby **VACATED** and off calendar.

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